

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CURTIS T. COMBAR, CAROL Y. DEVINE,
WILLIAM P. FLENTJE and ROBERT A. PFISTER

Application No. 09/159,404

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on October 1, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

The following Information Disclosure Statements (IDSs), have not been considered by the examiner:

IDS filed April 1, 1999

IDS filed March 25, 2002

IDS filed April 18, 2002

IDS filed July 23, 2004

It is not clear from the record whether the examiner considered the statements submitted or whether the examiner notified

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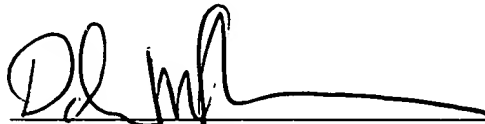
appellants of why their submissions did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of the above-referenced IDSs, written notification to appellants of consideration, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



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DMS/clm/dm
RA05-0012